

- a. The on-site sewage design and reference manual published by the department of natural resources.
- b. The guidance manual for the management of on-site and decentralized wastewater systems published by the United States environmental protection agency.
- c. Other credible sources of information on the design, operation, and performance of alternative wastewater treatment technologies.

Sec. 12. Section 455B.176A, subsection¹ 7, 8, and 9, Code 2009, are amended by striking the subsections.

DIVISION IV SANITARY DISTRICTS

Sec. 13. Section 358.16, subsection 2, unnumbered paragraph 1, Code 2009, is amended to read as follows:

The board of trustees may require connection to the sanitary sewer system established, maintained, or operated by the district from any adjacent property within the district, and require the installation of sanitary toilets or other sanitary sewage facilities and removal of other toilet and other sewage facilities on the property. However, the board of trustees shall not regulate, restrict the use, or require the connection of a private sewage disposal facility previously approved by the county board of health pursuant to section 455B.172 without the prior approval of that board of health.

Sec. 14. EFFECTIVE DATE. This division of this Act, being deemed of immediate importance, takes effect upon enactment.

Approved April 20, 2009

CHAPTER 73

NATIVE WINE PERMITTEE EMPLOYEES — EMPLOYMENT BY NATIVE BEER BREWERIES

S.F. 420

AN ACT concerning limitations on employment of persons employed by a wine permittee engaged in manufacturing and wholesaling native wine.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 123.56, Code 2009, is amended by adding the following new subsection: NEW SUBSECTION. 5A. Notwithstanding any other provision of this chapter, a person employed by a class “A” native wine permittee may be employed by a brewery with a class “A” native beer permit provided the person has no ownership interest in either licensed premises.

Approved April 20, 2009

¹ According to enrolled Act; the word “subsections” probably intended

CHAPTER 74**LIQUOR CONTROL — RESEALED WINE BOTTLES
FOR OFF-PREMISES CONSUMPTION***S.F. 447*

AN ACT concerning off-premises consumption of resealed bottles of wine.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 123.30, Code 2009, is amended by adding the following new subsection:
NEW SUBSECTION. 4. Notwithstanding any provision of this chapter to the contrary, a person holding a license to sell alcoholic liquors for consumption on the licensed premises may permit a customer to remove one unsealed bottle of wine for consumption off the premises if the customer has purchased and consumed a portion of the bottle of wine on the licensed premises. The licensee or the licensee's agent shall securely reseal such bottle in a bag designed so that it is visibly apparent that the resealed bottle of wine has not been tampered with and provide a dated receipt for the resealed bottle of wine to the customer. A wine bottle resealed pursuant to the requirements of this subsection is subject to the requirements of sections 321.284 and 321.284A.

Approved April 20, 2009

CHAPTER 75**RECORDING OF MAGISTRATE PROCEEDINGS***H.F. 266*

AN ACT relating to recording proceedings before a magistrate.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 631.11, subsection 3, Code 2009, is amended to read as follows:
3. RECORD. Upon the trial, the judicial magistrate shall make detailed minutes of the testimony of each witness and append the exhibits or copies thereof to the record. The proceedings upon trial shall not be reported by a certified court reporter, unless the party provides the reporter at such party's expense. ~~The If the proceedings are not reported by a certified court reporter, the~~ magistrate, in the magistrate's discretion, may shall cause the proceedings upon trial to be reported recorded electronically. ~~If the proceedings are being electronically recorded and~~ both parties shall be notified in advance of that recording. If the proceedings have been reported recorded electronically the recording shall be retained under the jurisdiction of the magistrate unless appealed, and upon appeal shall be transcribed only by a person designated by the court under the supervision of the magistrate.

Approved April 20, 2009